REMARKS/ARGUMENTS

1.   Claims 1-9 are pending herein. Claims 1, 3-5, 7 and 9 have been amended for clarification purposes only.

Claims 1-9 were rejected under §102(e) over Malin et al. This rejection is respectfully traversed.

Pending independent claims 1 and 9 each recite, among other things, that a repair reservation determining means determines a repair reservation date based on repair-reservable day/time data stored in a repair-reserved data storage means. The applied prior art reference discussed below (Malin et al.) does not disclose or suggest the claimed repair reservation determining means.

Malin discloses a method and apparatus for processing automobile repair data and statistics. A repair order is created based on a template of tasks that are required, for example, by an insurance company, to be performed when repairing an automobile. The tasks are assigned to repair technicians or groups and stored in resource queues in a database. Repair technicians log into the system and are presented with the tasks that are in the queue and waiting to be started or finished (see Malin application, page 4, paragraph [0042]). A scheduling engine includes an algorithm for scheduling the priority or order in which the repair tasks should be performed in order to maximize the likelihood of estimated completion times (see Malin application, page 4, paragraph [0052]). Malin discloses that shop statistical information may be applied as a weighting factor to the scheduling algorithm to increase the priority of, for example, smaller repair jobs that are more profitable or to use shop assets more efficiently. Another example of Malin's priority-based scheduling process includes characterizing the repair order based on the severity of the damage to the automobile and scheduling the task based on that damage assessment (see Malin application, page 5, paragraph [0052]).

In contrast to Malin's automobile repair data processing system, which, again, stores repair tasks in queues in a database, pending independent claims 1 and 9 respectively recite a repair reservation determining means and a program that determines a repair reservation date and time based on the repair reservable day/time displayed on a computer display means. As such, a day and time is reserved for repairing an automobile based on a comparison between a desired reservation date and time for the vehicle repairs and reservation dates and times stored in the repair-reserved data storage means (i.e, not stored in a database queue).

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Applicants respectfully submit that skilled artisans would understand that storing information in resource queues (as is apparently disclosed in Malin) does not disclose or suggest the repair reservation determining means recited in pending claims 1 and 9, as alleged on page 2 of the Office Action.

In view of all of the foregoing, reconsideration and withdrawal of the §102(e) rejection are respectfully requested.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

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OFFICIAL

October 8, 2003
Date

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